

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

IN RE: Alice Diane Lucas)	
)	Case No. 79-00018
Debtor)	Chapter 7
_____)	
)	
)	
DIANE L. CROCKETT fka/ Alice Diane Lucas)	
)	
Plaintiff,)	
)	Adversary Proceeding No. 10-06104
vs.)	
)	
EDUCATIONAL CREDIT MANAGEMENT)	
CORPORATION)	
)	
Defendant.)	

ANSWER

Comes now Educational Credit Management Corporation (“ECMC”), a non-profit Minnesota corporation, by counsel, and responds to Plaintiff’s Complaint seeking damages for violation of the Discharge Injunction as follows:

1. The allegations of paragraphs 1 and 4 of the Complaint are admitted.
2. Debtor filed for bankruptcy on January 22, 1979. Otherwise the allegations of paragraph 2 of the Complaint are admitted.
3. The allegations of paragraphs 3, 7, 10, 11, 12, 13, 14, and 15 are denied.
4. Defendant admits that the Bankruptcy Court entered its discharge order on June 28, 1983. All allegations in paragraph 5 which seek to characterize the Court’s order are denied as the order speaks for itself.
5. All allegations of paragraph 6 which seek to characterize or quote the Bankruptcy Act are denied insofar as they are inconsistent with the Act which speaks for itself.
6. Defendant is without sufficient information to admit or deny the allegations of paragraphs 8 and 9 of the Complaint and accordingly denies such allegations.
7. Plaintiff has received a full refund of the tax refund offset and the full amount of the garnished wages with interest.

8. Defendant denies that it acted in contempt of the Court's orders.
9. Defendant denies that Plaintiff was damaged as alleged and states that Plaintiff has been fully reimbursed, with interest.
10. Defendant denies that Plaintiff is entitled to compensatory or punitive damages in this matter.
11. All allegations in the Complaint not specifically admitted herein are denied.

EDUCATIONAL CREDIT
MANAGEMENT CORPORATION

By: /s/ James C. Joyce, Jr
Of Counsel

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Counsel for ECMC

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2010, a true and accurate copy of the foregoing Answer was electronically filed with the Clerk of the Court using the CM/ECF system thereby causing an electronic copy to be sent to counsel for Debtor and an additional copy was mailed via first-class postage to:

David Cox (VSB No. 38670)
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Counsel for Plaintiff

/s/ James C. Joyce, Jr.